Malvern Hills District Self-Build and Custom Housebuilding Register

Progress Report

November 2022

Introduction

The terms ‘self-build’ and ‘custom build’ are used to describe situations where individuals or groups are involved in creating their own home. The difference between the two is the level of personal involvement; self-build is where an individual directly organises and commissions the design and construction of their new home whereas custom build is where a developer co-ordinates the whole process for those involved.

Section 9 of the Housing and Planning Act 2016 defines self-build and custom housebuilding as “the building or completion by individuals, associations of individuals, or persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals. It does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person”.

The Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) places a duty on Local Authorities to keep a Register of individuals and organisations who wish to acquire serviced plots of land in their area for their own self-build and custom housebuilding, and to publicise that Register. The Housing and Planning Act 2016 also places a duty on Local Authorities to have regard to its Register in carrying out its functions in relation to planning, housing, the disposal of land in its ownership and regeneration.

Furthermore the Housing and Planning Act 2016 places a duty on Local Authorities to give suitable development permission for enough serviced plots of land to meet the demand for self-build and custom housebuilding identified by the Register in any given “base period”. The first base period is 1st April 2016 to 30th October 2016, with each subsequent base period the 12 months thereafter. The Self-Build and Custom Housebuilding Regulations 2016 came into force on 31st October 2016 and allowed the Register to be broken up into two parts; Part 1 for those who meet all criteria including any Local Eligibility Conditions and Part 2 for those who meet all criteria excluding any Local Eligibility Conditions. For those on Part 2 of the Register, the Council does not have to meet certain requirements relating to the number of planning permissions granted for serviced plots.

A serviced plot of land, as defined in the Self-Build and Custom Housebuilding Act 2015 and amended by the Housing and Planning Act 2016, has access to a public highway and has connections for electricity, water and waste water, or can be provided with those things in specified circumstances or within a specified period.

Planning Policy Framework

The South Worcestershire Development Plan (SWDP, adopted February 2016) supports the principle of development of self-build plots within the defined Development Boundaries (SWDP2 C) and on housing allocations (SWDP43 - SWDP59). This includes individual self-build plots; sites made up of a number of self-build plots; and self-build plots as part of the wider market housing mix on larger developments (SWDP14).

However, SWDP2 C does not support the principle of development of self-build plots outside of the defined Development Boundaries, which is considered to be open countryside where development should be strictly controlled and limited to rural development proposals and development specifically supported by other SWDP policies. SWDP18 Replacement Dwellings in the Open Countryside supports the replacement of an existing dwelling in the open countryside with a new single dwelling subject to a number of criteria, and this form of development could include self-build dwellings.

The SWDP is well underway, with the Publication version (Regulation 19) of the SWDP Review consulted upon between 1 November 2022 and 23 December 2022.This is the last stage of public engagement before the Plan is submitted for formal examination by the Government's Planning Inspectorate. The Publication version included the same wording for the self and custom build policy as appeared in the SWDPR Preferred Options, i.e. "Proposals of 20 dwellings or more will be expected to provide 5% of dwelling plots for sale as self or custom build plots unless demand identified on the LPA Self-Build and Custom Housebuilding Register, or other relevant evidence, demonstrates that there is a lower demand for plots" but grouped it with other housing policy requirements under Policy SWDPR 16 Housing Mix and Standards. This policy will have full weight once the SWDPR is adopted, anticipated late 2023.

Certain types of work can be undertaken without the need for planning permission, known as Permitted Development Rights. The Town and Country Planning (General Permitted Development) (England) Order 2015 is the principal statutory instrument for Permitted Development Rights.

Part 3 of Schedule 2 details all change of uses allowed under Permitted Development Rights, subject to specific criteria and Prior Approval being granted, which for change of use to dwellings are as follows:

- Class L, small HMOs to dwellings (and vice versa)
- Class M, retail or betting office or pay day loan shop to dwellings
- Class N, specified sui generis uses to dwellings
- Class O, offices to dwellings
- Class P, storage or distribution centre to dwellings
- Class Q, agricultural buildings to dwellings

Malvern Hills District Self-Build and Custom Housebuilding Register

The Malvern Hills District Self-Build and Custom Housebuilding Register was established on 1st April 2016 and has been available ever since for individuals and organisations to complete the online form. In the first base period between 1st April 2016 and 30th October 2016, there were 47 entries on the Register.

Since the first base period and the introduction of the Self-Build and Custom Housebuilding Regulations 2016, the Register went through an update in May and June 2017 in order to introduce a Local Eligibility Condition to enable entries to be split into Part 1 and Part 2. Local eligibility criterion was one of the areas that the Government introduced when it issued the Self-build and Custom Housebuilding Regulations 2016 which came into force on 31 October 2016. This was possibly because the initial regulations did not prevent individuals or groups from applying to be registered on 2 ,3 or even more registers in different local authority areas. The lack of local eligibility criteria could therefore inflate the demand for self-build for most, if not all, local authority areas.

Malvern Hills is a predominantly rural area with policies directing development to the more sustainable locations and generally protecting areas beyond allocations or the development boundaries of settlements unless allowed for by exception policies. To protect the area from unnecessary development the council considered that a more accurate picture of demand for self-build should be ascertained. To achieve this, the local eligibility criteria was introduced to ensure that the needs of those with a local connection to the area (i.e. those on Part 1 of the Self Build Register) were taken into account in the determination of any planning applications for self-build. The Malvern Hills Self Build Register is therefore in 2 parts – Part 1 for those who can demonstrate a local connection to Malvern Hills and Part 2 for those who cannot.

The local connection must be demonstrated for at least 3 years prior to the application to join the Self-Build Register.

All those already on the Register prior to 30th May 2017 were automatically allowed on to Part 1 of the Register if they provided an update form with the relevant additional information by 30th June 2017. This exercise resulted in a substantial reduction in the number of individuals on the Malvern Hills District Self-Build Register in the first base period (and in the first part of the second base period), with the number of entries on the Malvern Hills District Self-Build Register in first base period reducing from 47 to 15 entries.

All data within this Progress Report is at 30th October 2022, when there were 134 entries on the Malvern Hills District Self-Build and Custom Housebuilding Register. Other headline data is provided below:

Individuals / Associations by Register Part

All 134119134 entries on the Malvern Hills District Self-Build and Custom Housebuilding Register are Individuals; there are no Associations. There are 63 entries on Part 1 and 71 entries on Part 2 of the Malvern Hills District Self-Build and Custom Housebuilding Register.

Entries by Base Period[1]

It should be noted that the number of people on the register represented within the cumulative entries' column may not total the number of entries made from year to year; this is due to removal requests from the register between base periods.

Table One:

Base Period	Entries (Part 1 / Part 2)	Cumulative Entries (Part 1 / Part 2)	Delivery (provision / need) P/A (provision / need) culm
1 (1 April 2016 to 30 October 2016) To be provided for by 30October 2019	15 (15 / 0)	15 (15 / 0)	(1 / 15) (1 / 15)
2 (31 October 2016 to 30 October 2017)	23 (19 / 4)	38 (34 / 4)	(0 / 19)

[1] These figures are correct as of 30 October 2022 and are subject to change; this could be, for example, if an individual requests to be removed from the Register or if an individual presents evidence which means they are eligible to move from Part 2 to Part 1 of the Register.

To be provided for by 30October 2020			(1 / 34)
3 (31 October 2017 to 30 October 2018) To be provided for by 30 October 2021	18 (9 / 9)	56 (43 / 13)	(1 / 9) (2 / 43)
4 (31 October 2018 to 30 October 2019) To be provided for by 30 October 2022	29 (13 / 16)	85 (56 / 29)	15/13 17/ 56
5 (31 October 2019 to 30 October 2020) To be provided for by 30October 2023	7 (1 / 6)	92 (57 / 35)	N / A
6 (31 October 2020 to 30 October 2021) To be provided for by 30October 2024	31 (6 / 25)	119 (59 / 60)	N / A
7 (31 October 2021 to 30 October 2022) To be provided for by 30 October 2025	15 (4/11)	134 (63/71)	N/A

Areas of the District of Interest

The most common answer for the question “within which area(s) are you seeking a plot?” is “Any Area” within Malvern Hills with 73 people choosing this option. Where respondents wish to choose specific parishes, they are not limited to the number they can tick and most tick several rather than just one or two. The most common area-specific choices are Little Malvern and Welland (25), Lower Broadheath (24), Malvern Town (21), Malvern Wells (20) and West Malvern (22). A wide range of areas in the District have specific interest for Self-Build and Custom Housebuilding, with 51 of the identified areas having at least 1 response.

Type of Project Sought

The most common answer for the question “which project type would you prefer to be a part of?” is “A Standalone, Individual Self-Build Plot” with 81responses, with a further 39 entries having “No Preference”. The remaining 17 responses were for “A plot as part of a wider community self-build project” (4), “Other” (3), “An individual self-build plot on a conventional housing development” (3) and “No response” (7).

Building as Part of a Joint Project with Other Self-Builders?

Surprisingly given the responses to the Type of Project Sought question discussed above, 78 entries would be interested in building as part of a joint project with other Self-Builders, with 49 stating that they would not be interested in building as part of a joint project with other Self-Builders and 8 no responses were received.

Type and Size of Property Sought

The most common answer for the question "What kind of property would you like to build as part of your project?" is "Detached House" with 103 responses, with a further 17 responses having a preference for "Detached Bungalow"; the remaining 12 responses were for "Other" (8); "No Response" (8); and "Semi-detached house" (0).

The most common answer for the question "What size of dwelling(s) do you hope to build?" is "3 bedrooms" with 46 responses; the next most common response was "4 bedrooms" with 48 responses; "2 bedrooms" (18), "5 / 5+ bedrooms" (17), "No Response" (7) and "1 bedroom" received 1 responses.

Meeting the Demand

As of 30th October 2022, five planning permissions have been granted for 17 Self-Build plots (see Table Two below):

Table Two:

Application Ref	Location	Proposal	Decision
Supply of 1 self-build plot for Base Period One (up to 30/10/2019)			
18/00052/FUL	Annexe at Ploughs End, Corse Lawn, Gloucester, GL19 4LZ	Demolition of existing dwelling and skittle alley and erection of a self-build replacement dwelling and associated works.	Approved 26/03/2018
Supply of 0 self-build plots for Base Period Two (31/10/219 to 30/10/2020)			
Supply of 1 self-build plot for Base Period Three (31/10/2020 to 30/10/2021)			
20/01947/FUL	Victoria House	New 3-bedroom self-	Approved

	Sawmill, Hereford Road, Leigh Sinton	build dwelling	27/07/2021
Supply of 15 self-build plots for Base Period Four (31/10/2021 to 30/10/2022)			
20/00800	The Mount, Oldwood Road, Tenbury Wells	1 x 3 bed self-build bungalow	08/06/2022
21/01287/OUT	Land at Lower Interfields, Malvern	Outline application for up to 45 residential units including 12 self/custom build units	Appeal Allowed 05/07/2022
22/00658/PIP	Land at Worcester Road, Newland, Malvern	PIP for up to 2 x self-build dwellings	01/09/2022